Electronically

Generated

Document

(316)

Distr.
LIMITED

E/CN.4/1994/L.55
1 March 1994

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 22

RIGHTS OF THE CHILD

Cameroon, Czech Republic*, Denmark*, Finland, Gambia*, Greece*, Iceland*, Latvia*, Luxembourg*, Netherlands, Norway*, Poland, Portugal*, Senegal*, Slovakia*, Slovenia* and Sweden*: draft resolution

Implementation of the Convention on the Rights of the Child

The Commission on Human Rights,

Recalling General Assembly resolutions 47/112 of 16 December 1992 and 48/157 of 20 December 1993, its own resolutions 1993/78 and 1993/83 of 10 March 1993, as well as resolution 1993/5 of 20 August 1993 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Reaffirming that the rights of children require special protection and call for continuous improvement of their situation all over the world, as well as for their development and education in conditions of peace and security,

Profoundly concerned that the situation of children in many parts of the world remains critical as a result of inadequate social conditions, natural disasters, armed conflicts, economic and sexual exploitation, illiteracy, hunger and disability, and convinced that urgent and effective national and international action is called for,

---

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling that the Geneva Conventions of 12 August 1949 and the two Additional Protocols thereto of 1977, as well as article 38 of the Convention on the Rights of the Child, accord children special treatment,

Aware of the need to enhance international cooperation to prevent the involvement of children in armed conflicts,

Urging States to comply strictly with their obligations under article 38 of the Convention on the Rights of the Child,

Mindful of the important role of the United Nations Children's Fund and of the United Nations in promoting the well-being of children and their development,

Convinced that the Convention on the Rights of the Child, as a decisive standard-setting accomplishment of the United Nations in the field of human rights, makes a fundamental contribution to protecting the rights of children and ensuring their well-being,

Having considered the report of the Secretary-General on the status of the Convention on the Rights of the Child (E/CN.4/1994/83),

Encouraged by the fact that an unprecedented number of States have to date become signatories and parties to the Convention, thereby demonstrating the widespread commitment that exists to strive for the promotion and protection of the rights of the child,

Mindful of the recommendation contained in part II, paragraph 46 of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, that measures be taken to achieve universal ratification of the Convention by 1995, as well as its effective implementation,

Seriously concerned about the reservations to the Convention which are contrary to international law, and recalling that in the Vienna Declaration and Programme of Action, the World Conference on Human Rights urged States to withdraw reservations to the Convention contrary to the object and purpose of the Convention or otherwise contrary to international treaty law,

1. Takes note with appreciation of the report of the Secretary-General on the status of the Convention on the Rights of the Child;

2. Expresses its satisfaction at the number of States that have signed, ratified or acceded to the Convention since it was opened for signature, ratification and accession on 26 January 1990, and calls upon all States that have not done so to sign, ratify or accede to the Convention as a matter of priority;

3. Requests the Secretary-General to continue to provide all facilities and assistance necessary for the dissemination of information on the Convention and its implementation with a view to promoting its universal ratification by 1995, as well as to promote the full realization of its principles and provisions;

4. Expresses its alarm at persistent reports that massive violations of the rights of the child continue worldwide;

5. Urges States parties to take immediate steps to ensure strict compliance with their obligations under the Convention, including the timely submission of their reports to the Committee on the Rights of the Child, in the light of the guidelines elaborated for that purpose (CRC/C/5);

6. Recognizes the important functions of the Committee in overseeing the effective implementation of the Convention and promoting a deeper understanding of its principles and provisions;

7. Welcomes the constructive and useful results achieved by the Committee during its first five sessions;

8. Takes note of the continued consideration by the Committee of the initial reports submitted by the States parties;

9. Urges States parties to the Convention that have made reservations to review the compatibility of their reservations with article 51 of the Convention and other relevant rules of international law, with a view to considering their withdrawal;

10. Welcomes the consideration by the Committee of the reservations and declarations entered by States parties to the Convention when examining the reports of the States parties;

11. Recalls the recommendation contained in the Vienna Declaration and Programme of Action that the Committee study the question of raising the minimum age of recruitment into the armed forces;

12. Notes with appreciation the work done by the Committee on this issue, and in particular the preliminary draft optional protocol to the Convention on involvement of children in armed conflicts (E/CN.4/1994/91);

13. Decides to establish an open-ended inter-sessional working group of the Commission on Human Rights to elaborate, as a matter of priority, a draft optional protocol to the Convention on the Rights of the Child, using as one basis for its discussions the above-mentioned preliminary draft optional protocol submitted by the Committee on the Rights of the Child;

14. Invites all Governments, specialized agencies and non-governmental organizations to participate in the activities of the working group;

15. Requests the working group to meet for a period of two weeks prior to the fifty-first session of the Commission;

16. Requests the Secretary-General to invite Governments, intergovernmental organizations, the Committee on the Rights of the Child and the expert on the situation of children in armed conflicts, to be appointed by the Secretary-General pursuant to General Assembly resolution 48/157 of 20 December 1993, as well as non-governmental organizations, to send comments on the draft optional protocol, for consideration by the working group, and to circulate these contributions to Governments in advance of the meeting of the working group;

17. Expresses deep concern at the continued exploitation and abuse of children, requiring effective measures against, in particular, the sale of children, child prostitution and child pornography;

18. Notes the concern voiced by the Committee about the economic exploitation of children, and takes note with interest of the set of recommendations adopted by the Committee on the issue at its fifth session;

19. Expresses concern at the increasingly heavy workload of the Committee on the Rights of the Child and the resulting difficulties faced by it in the fulfilment of its functions;

20. Requests the Secretary-General to continue to ensure the provision of appropriate staff and facilities for the effective and expeditious performance of the functions of the Committee on the Rights of the Child;

21. Welcomes General Assembly resolution 48/157 of 20 December 1993, in which the Assembly requested the Secretary-General to appoint an expert to undertake a comprehensive study on the protection of children in armed conflicts, including the participation of children in armed conflict, as well as the relevance and adequacy of existing standards, and to make specific recommendations on ways and means to prevent children from being affected by armed conflicts and to improve the protection of children in armed conflicts, and on measures to ensure effective protection of these children;

22. Requests, in the light of General Assembly resolution 48/157 States Members of the United Nations and United Nations bodies and organizations, as well as other relevant intergovernmental and non-governmental organizations, to contribute to the study;

23. Invites bodies and organizations of the United Nations system, as well as intergovernmental and non-governmental organizations, to intensify their efforts with a view to disseminating information on the Convention and promoting its understanding;

24. Requests the Secretary-General to submit a report on the implementation of the Convention on the Rights of the Child to the Commission at its fifty-first session;

25. Decides to consider the report of the Secretary-General at its fifty-first session under the agenda item "Rights of the Child".

---

(31)

Distr.
LIMITED

E/CN.4/1994/L.56
28 February 1994

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 19

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Albania*, Austria, Finland, Germany,
Portugal*: draft resolution

Situation of human rights in Albania

The Commission on Human Rights,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic Social and Cultural Rights,

Recalling its resolution 1993/65 of 10 March 1993,

Taking note of the report of the Secretary-General submitted pursuant to Commission resolution 1993/65 (E/CN.4/1994/75),

Welcoming the legislative and adm nistrative measures taken by the Government of Albania to guarantee and promote the observance of human rights in Albania,

Welcoming also the willingness of the Government of Albania to cooperate with the Commission on Human Rights and the Centre for Human Rights,

---

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

1. Calls upon the Government of Albania to pursue its positive steps towards meeting the requirements under the International Bill of Human Rights and other relevant international instruments, by which the human rights and fundamental freedoms of all Albanian citizens, including the rights of persons belonging to minorities, will be effectively promoted and guaranteed;

2. Encourages technical cooperation between the Centre for Human Rights and the Voluntary Fund for Technical Cooperation in the Field of Human Rights, on the one hand, and the Government of Albania, on the other, on the basis of the Agreement concluded on 13 February 1992;

3. Requests the Secretary-General:

(a) To bring the present resolution to the attention of the Government of Albania and to invite it to provide information regarding its implementation,

(b) To report to the Commission at its fifty-first session on the implementation of the present resolution.

---

(318)

Distr.
LIMITED

E/CN.4/1994/L.57
1 March 1994

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 11

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Colombia and Cuba: draft resolution

Human rights and unilateral coercive measures

The Commission on Human Rights,

Recalling the principles set forth in the Charter of the United Nations,

Recalling also General Assembly resolution 2625 (XXV) of 24 October 1970 containing the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Reaffirming General Assembly resolution 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States, in particular its article 32 which declares that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

Reaffirming also the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,

Bearing in mind its resolutions 1991/79 of 6 March 1991, 1992/39 of 28 February 1992 and 1993/59 of 9 March 1993,

Gravely concerned that the use of unilateral coercive measures adversely affects the socio-humanitarian activities of developing countries and that, in some cases, intensification of such measures hinders the acquisition of essential goods and has a negative effect on the full enjoyment of all human rights,

1. Calls upon the international community to condemn the use by certain countries of unilateral coercive measures against developing countries with the purpose of exerting, directly or indirectly, coercion on the sovereign decisions of the countries subject to those measures;

2. Reaffirms that the implementation of unilateral coercive measures as a means of exercising political, economic or social pressure against developing countries prevents the full realization of all human rights by the people subject to those measures, particularly children, women and elderly people;

3. Requests all States to refrain from adopting any unilateral coercive measure not in accordance with international law and the Charter of the United Nations that creates obstacles to trade relations among States and impedes the full realization of the rights set forth in the Universal Declaration of Human Rights and other international human rights instruments, in particular, the right of everyone to a standard of living adequate for their health and well-being, including food and medical care, housing and the necessary social services;

4. Condemns the fact that certain countries using their predominant position in the world economy, continue to intensify the adoption of unilateral coercive measures against developing countries, such as trade restriction, blockades, embargoes, freezing of assets with the purpose of preventing these countries from exercising their right fully to determine their political, economic and social system and freely to expand their international trade;

5. Reaffirms the right of all peoples to self-determination and to dispose of their natural wealth and resources without foreign pressure, and that in no case may a people be deprived of its basic means of subsistence;

6. Also reaffirms that essential goods, in particular food and medicines, should not be used as a tool for political pressure;

7. Requests the Secretary-General to submit, in consultation with Governments and specialized agencies, as well as with intergovernmental and non-governmental organizations, a report to the Commission on Human Rights at its fifty-first session on the coercive measures unilaterally implemented against developing countries hindering the full realization of all rights set forth in the Universal Declaration of Human Rights and other international human rights instruments, particularly the right of people to a minimum standard of living and development.

---

(319)

Distr.
LIMITED

E/CN.4/1994/L.58
1 March 1994

ENGLISH
Original: SPANISH

COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 19

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Brazil, Colombia, Costa Rica, Mexico, Peru, Uruguay and Venezuela: draft resolution

El Salvador

The Commission on Human Rights,

Guided by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Recalling its resolution 1993/93 of 10 March 1993, and the statement by the Chairman of the Sub-Commission on Prevention of Discrimination and Protection of Minorities of 20 August 1993 (E/CN.4/1994/2 - E/CN.4/Sub.2/1993/45, para. 245),

Recalling also General Assembly resolution 48/149 of 20 December 1993,

Taking note of the report of the Independent Expert (E/CN.4/1994/11),

Convinced that full and speedy implementation of the outstanding commitments of the Peace Accords is necessary in order to guarantee full respect for human rights and the consolidation of the reconciliation and democratization process under way in El Salvador,

Concerned that, in spite of the substantial progress made in the field of human rights, continuing acts of violence, such as the recent assassinations, attacks and threats against members of various political parties, could affect the peace and national reconciliation process,

Welcoming in this regard the efforts of the Secretary-General in cooperation with the Government of El Salvador, to establish the Joint Group for the Investigation of Politically Motivated Illegal Armed Groups, which is to conduct an impartial and independent investigation into the activities of such groups and their consequences as regards political violence,

Recognizing that the work of the Secretary-General of the United Nations and his representatives and the monitoring carried out by the United Nations Observer Mission in El Salvador, in particular its Human Rights Division, have contributed significantly to the success of the Peace Accords,

Recognizing that the effective protection of human rights calls for continued strengthening of and support for the judicial system to help to eliminate impunity and thus ensure the full attainment of the rule of law,

Recognizing with satisfaction the fulfilment of most of the commitments made by the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional,

Considering that a commitment was made to implement the recommendations of the Human Rights Division of the United Nations Observer Mission in El Salvador and the Commission on the Truth, and emphasizing that a new process for the full implementation of the peace and national reconciliation agreements is under way,

Taking into account the general elections to be held in El Salvador on 20 March 1994 within a climate of peace achieved by the people of El Salvador,

Recalling the commitment of 5 November 1993 by the presidential candidates to abide by the peace and reconciliation agreements,

Aware that the international community must continue to support all efforts by the Government of El Salvador to consolidate peace, ensure full respect for human rights and undertake the reconstruction of El Salvador,

1. Expresses its thanks to the Independent Expert for his work and takes note of the report submitted in accordance with his terms of

reference (E/CN.4/1993/11) and regrets that circumstances did not permit him to visit El Salvador as planned;

2. Expresses its satisfaction and gratitude to the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional for having fulfilled most of the commitments made and having overcome a number of obstacles to the implementation of the agreements, within the framework of the peace and reconciliation process;

3. Recognizes the work of the Governments of Colombia, Spain, Mexico and Venezuela, which make up the Group of Friends of the Secretary-General, and of the Government of the United States of America in supporting the peace process in El Salvador;

4. Recognizes that, while there have been substantial improvements in the situation of human rights in El Salvador, some negative circumstances still exist concerning the observance of the right to life and that the capacity of the judicial system to shed light on and punish human rights violations continues to be unsatisfactory;

5. Urges the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to intensify their efforts to continue and complete the land transfer programme, the programme for the reintegration of former combatants into society, the deployment of the new National Civil Police, the collection of weapons in the private hands of the armed forces and the adoption of the Act on Private Security Services, in accordance with the agreements;

6. Expresses its belief that it is important to continue strengthening the Office of the National Counsel for the Defence of Human Rights and to carry out the agreed judicial reforms to ensure its independence and impartiality;

7. Commends the Government of El Salvador on the establishment of the Inter-institutional Investigating Group to investigate human rights violations and punish those responsible, and of the Joint Group for the Investigation of Illegal Armed Groups, set up on the initiative of the Secretary-General and recommended by the Commission on the Truth, and urges all sectors of Salvadorian society to cooperate with that investigation;

8. Reiterates its gratitude for the important work being carried out by the Secretary-General and his representative and by the United Nations Observer

Mission in El Salvador, and extends to them its support so that they can continue to take all necessary steps to contribute to the successful implementation of the Peace Accords;

9. Requests the Secretary-General to provide the Government of El Salvador with any advisory services it may request, through the Centre for Human Rights;

10. Reaffirms its confidence that the elections of 20 March 1994 will strengthen national reconciliation and urges the people of El Salvador to participate in them;

11. Expresses its support for the statement of 5 November 1993, entitled "Commitment of the presidential candidates to peace and stability in El Salvador", in which the candidates inter alia solemnly committed themselves to maintain the constructive evolution of the peace process and to implement all the commitments contained in the Peace Accords and rejected any politically motivated violence or intimidation;

12. Reiterates its gratitude for the important work being done by the Secretary-General and his representatives and by the Human Rights Division of the United Nations Observer Mission in El Salvador, and emphasizes the importance of the active monitoring being conducted and requests the Secretary-General to inform the Commission of the results at its fifty-first session, if he deems it necessary;

13. Invites the Government of El Salvador to report on the implementation of this resolution at the next session of the Commission under the agenda item "Advisory services in the field of human rights".